

# Fiscal Note

State of Alaska  
2022 Legislative Session

Bill Version:	CSSB 169(HSS)
Fiscal Note Number:	1
(S) Publish Date:	2/25/2022

Identifier: SB169-DPS-FLS-02-19-22  
Title: SMOKE/FIRE DAMPERS & SMOKE CTRL  
SYSTEMS  
Sponsor: COSTELLO  
Requester: (S) HEALTH & SOCIAL SERVICES

Department: Department of Public Safety  
Appropriation: Fire and Life Safety  
Allocation: Fire and Life Safety  
OMB Component Number: 3051

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2023 Appropriation Requested	Included in Governor's FY2023 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2023	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Fund Source (Operating Only)

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2022) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2023) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** No  
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/23

## Why this fiscal note differs from previous version/comments:

Fiscal note zeroed out as per committee action on 2.24.22.

Prepared By: Senator Wilson  
Senate Health and Social Services Committee

Phone: (907)465-3878  
Date: 02/24/2022

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2022 LEGISLATIVE SESSION

## Analysis

This bill amends AS 18.70.080 by adding a new subsection requiring the Department of Public Safety (DPS) to adopt regulations that are consistent with national fire protection standards and that require the inspection and testing of fire dampers, smoke dampers, combination fire and smoke dampers, and smoke control systems. The regulations must require the inspection and testing be conducted by a:

state;  
municipality with a fire and life safety inspection program; or  
person that has a current fire and life safety certification issued through a program accredited by the American National Standards Institute under standard ISO/IEC 17024.

The bill further authorizes DPS to establish by regulation, and charge reasonable fees for, inspections and testing performed to determine compliance with the regulations adopted, including inspections and testing of the buildings of a municipality.

Finally, the bill amends AS 37.05.146 relating to program receipts to allow DPS to retain the receipts from fees charged for inspection and testing of fire dampers, smoke dampers, combination fire and smoke dampers, and smoke control systems.

Within DPS, the Division of Fire and Life Safety (FLS) has statewide jurisdiction for fire code enforcement and plan review authority except in communities that have received deferrals under 13 AAC 075. DPS may enter any building subject to regulation under AS 18.65.080 during reasonable hours for the sole purpose of inspecting the property or abating a fire hazard.

Regulations adopted by FLS under 13 AAC 50.025, International Fire Code (IFC) 2012 Edition, already include inspections and testing of fire dampers, smoke dampers, combination fire and smoke dampers and smoke control systems. The inspections and testing are in accordance with the IFC Section 703 Fire-Resistive-Rated Construction, IFC Section 909 Smoke Control Systems, National Fire Protection Association (NFPA) 80 Fire Doors and Other Opening Devices, and NFPA 105 Installation of Smoke Door Assemblies and Other Opening Protectives.

Should this bill pass, FLS would adopt regulations to establish and charge reasonable fees for these inspections by the bill's proposed effective date of January 1, 2023. These fees would be billed to building owners or businesses that are subject to the inspection and testing requirements under this bill. At this time, DPS cannot reasonably estimate the number of inspections FLS would conduct or the amount of revenue that would be generated as a result.